

THE REGULAR MEETING OF THE LIBERAL CITY COMMISSION

May 13, 2014

The regular meeting of the Liberal City Commission was held at 6:30 p.m. in the Commission Chambers located at 325 North Washington on Tuesday, May 13, 2014.

Commissioners Present: Mayor Joe Denoyer, Vice Mayor Dean Aragon, Dave Harrison, Janet Willimon and Ron Warren.

City Staff Present: City Manager Mark Hall, Public Works Director Joe Sealey, Finance Director Chris Ford, City Clerk Debbie Giskie, Human Resources Director Sheena Schmutz, Building Services Director Kory Krause, Economic Development Director Jeff Parsons, Fire Chief Kelly Kirk, Mid-America Air Museum Director Jim Bert, Chief of Police Al Sill and City Attorney Shirla McQueen.

Mayor Denoyer declared the meeting called to order and City Clerk Giskie read the roll call declaring all members present. The Pledge of Allegiance was recited and the invocation was given by Ann Holman of the Risen Glory Church.

1. Awards/Proclamations/Presentations.

Fire Chief Kirk presented Nick Schwindt with a retirement plaque and his firefighting helmet after 28 ½ years as a volunteer firefighter for the Liberal Fire Department. He thanked Nick and his wife Ramona for their dedication to the department.

- Chief Kirk also announced Brian Fornwalt has been designated as the 2014 southwest regional firefighter and noted Liberal firefighters have been awarded the top firefighter in the nine-state region for the last three years. He noted Fornwalt joins Tyson Rice and Cody Regier as the local recipients.
- The Commission and audience applauded their efforts and accomplishments.

2. Approval of Agenda.

Mayor Denoyer reported the agenda had been amended to include Item 8 MAAM Foundation “Learning Plane” Classroom. He requested approval of the amended agenda.

Commissioner Willimon moved to approve the agenda, as amended, which was seconded by Vice Mayor Aragon. The motion carried unanimously.

3. Approval of Minutes.

Commissioner Harrison moved to approve the minutes of the April 22, 2014 regular meeting and May 7, 2014 special meeting, as presented. The motion was seconded by Commissioner Warren and carried unanimously.

4. Items from Citizens. Mayor Denoyer read the rules of the Commission and requested members of the audience approach the podium to address the Commission. *No items were presented.*

5. Items from Groups. Mayor Denoyer read the rules of the Commission and requested members of the audience approach the podium to address the Commission.

- Al Shank, representing Al Shank Insurance as well as Employers Mutual Company, presented Finance Director Ford with a Kansas municipal safety program dividend check in the amount of \$46,238.01. He reported the City has received more than \$480,000 over the eleven year period from this program and commended City staff for their continued efforts in addressing safety in the workplace.

The Commission thanked Mr. Shank and City staff.

6. Consent Agenda:

a. Acknowledge Receipt of Minutes:

1. Parks & Recreation Advisory Board, March 27, 2014.
2. Liberal Memorial Library, April 15, 2014.

b. Approve Airport Leases:

1. # 40.00	AirMD, LLC (LifeTeam)	\$2,979.87	1 year
2. # 59.01	Cimarron Investments	\$1,316.70	1 year
3. # 72.06	Cimarron Investments	\$ 844.80	1 year
4. # 73.04	Cimarron Investments	\$1,411.41	1 year
5. # 97.02	Sargent & Lillard Casing	\$1,124.96	1 year
6. #131.02	Larry Johnson	\$ 856.80	1 year
7. #138.01	Great Lakes Aviation, Ltd.	\$6,419.83	1 year
8. #146.00	YRC, Inc. (Yellow Freight)	\$7,580.52	1 year
9. #176.00	Cimarron Investments	\$1,051.38	1 year
10. #190.02	Larry Johnson	\$ 317.50	1 year

Mayor Denoyer inquired if the Commission wished to remove any items for further discussion.

Commissioner Harrison moved to approve the Consent Agenda, as presented, with Commissioner Willimon seconding the motion. The motion carried unanimously.

7. Conveyance of Real Property.

City Manager Hall reported the City received a deed for the property from the developer and had forgotten about it. He noted back in 1976, the City had subdivision regulations that required developers to set aside green space for properties being developed and in this case it was never developed.

- Mr. Hall noted the City has no intention to exercise the right to develop the green space and the limitations have passed. He recommended deeding the property back to the original owner, Park Properties, Inc.
- Commissioner Willimon requested the location of the property be explained for the public. Mr. Hall noted it is in the middle of an area between New York & Calvert and 11th Street & 15th Street.
- Steve Rogacki, Liberal, appeared to express his surprise that no one wanted the property all these years and now the school is interested in the property.
- Mr. Hall noted the property owner deeded the property to the City years ago and it wasn't necessary.

Commissioner Harrison moved to deed the property back to Park Properties, Inc. at no cost to Park Properties, Inc., so that the property can be used for construction of a new school and/or related facilities, as presented. Vice Mayor Aragon seconded the motion, which carried unanimously.

8. MAAM Foundation “Learning Plane” Classroom.

Mayor Denoyer thanked the Foundation members for attending this evening.

- MAAM Foundation member Dr. Janese Thatcher appeared before the Commission with the members of the Mid-America Air Museum Foundation to request use of Airport property for placement of a donated FedEx 727 aircraft to be converted to the Liberal Learning Jet. The site will be on the north side of the museum, which will allow passersby to see the jet and also allow ease of access from the museum.
- Dr. Thatcher explained she came from Minnesota where they accomplished the same thing and that she has experience in completing the project. She reported the Liberal Learning Jet would allow students to learn practical applications of science and math as well as STEM (science, technology, engineering and mathematics) similar to the robotics program and this is collaboration between the City, SCCC/ATS, Air Museum, and USD 480.
- Dr. Thatcher noted this is a win/win program for everyone and she believes that Liberal is a hidden treasure that she would like see made as the educational center of the southwest. She reported she is a certified aircraft mechanic and would oversee the deactivation of the aircraft.
- Air Museum Director Bert advised he shares the Museum’s support for this project and it will a historical event of the Museum as it has progressed full circle after twenty-six years of existence. He noted thousands of robotics youth and museum guests will say yes to the Museum. Mr. Bert thanked City staff for their extraordinary patience and he shared admiration and respect for Dr. Thatcher for bringing the project forward.
- Mayor Denoyer questioned when the plane would be delivered. Dr. Thatcher advised the plane could land as early as June 5 or 6 and noted the Airport has received approval for a one-time landing of the aircraft and FedEx will need to get a ferry permit to bring it in. She noted when the aircraft landed at the St. Paul, MN airport they had roped off an area around the aircraft and let people come on the ramp and go through the aircraft; something she would like to repeat here.

Commissioner Willimon moved to allow MAAM Foundation to place their “Liberal Learning Plane” Classroom upon Airport property, owned by the City of Liberal, as presented. Commissioner Harrison seconded the motion, which carried unanimously.

9. KDOT KLINK Funds.

Public Works Director Sealey reported the City applied for KDOT KLINK funds due to time restraints on the application deadline. He noted if the City receives the \$200,000 funding, it will require Commission approval and would be used for Phase 2 of the 2015 Kansas Avenue Project, which includes the area from Kansas Avenue from the railroad tracks to Fifteenth Street. As this was provided for Commission information, no action was taken.

10. Chip Seal Bid Award.

- Public Works Director Sealey reported bids were opened on May 1 for the 2014 Chip Seal project and the project was advertised in the local newspaper. He explained eight bid invitations were mailed out and two bid packages were requested; however, only one bid was received from B & H Paving, Scott City in the amount of \$1.06 per square yard. Mr. Sealey advised the project area would be in southwest Liberal west of Kansas Avenue and south of the railroad tracks. He recommended acceptance of the bid in an amount not to exceed \$320,000.

Commissioner Harrison moved to award the bid of B & H Paving, Scott City, Kansas for the annual Chip Seal Project in an amount not to exceed \$320,000, as presented, with Vice Mayor Aragon seconding the motion. The motion carried unanimously.

11. Change to 2014 Housing Incentive Program.

Commissioner Warren advised he would abstain from voting on Item 11(a) and left the room.

a. New Construction Single-Family Housing Incentive Program.

- Mr. Hall advised the new program would be identified as “new construction single-family housing incentive program” and would raise the incentive to \$5,000 per new single family dwelling from the housing and community development portion of the one cent sales tax program. He noted this would include speculative dwellings and the 2014 program budget would be \$160,000.
- Mr. Hall referred to the application and program guidelines and recommended approval of the program itself and the name change. He noted the program, if approved tonight, would go into effect tomorrow until the end of 2014 and that the 2015 program would be brought to the Commission for consideration later this year.
- Mayor Denoyer questioned if there was a size limit on the home. Mr. Hall indicated there were no limitations placed on the size of the home.

Commissioner Harrison moved to approve the New Construction Single-Family Housing Incentive Program in the amount of \$160,000 for 2014, as presented, with Vice Mayor Aragon seconding the motion. The motion carried by a vote of 4 to 0, with Commissioner Warren abstaining.

Commissioner Warren returned to the meeting and took his place at the bench.

b. New Construction Multi-Family Housing Incentive Program.

Economic Development Director Parsons reported economic growth is being held back by lack of housing and City staff is recommending funding the multi-family housing incentive from the economic development portion of the one cent sales tax program. He noted the program would have an annual limit of 100 units at \$3,000 per new rental unit or a 2014 program budget of \$300,000.

- City Manager Hall noted the program would be identified as the “new construction multi-family housing incentive program and if approved this evening, would go into effect tomorrow for the remainder of 2014 and the 2015 program would be brought to the Commission later this year. He noted this incentive would be on top of other property tax exemptions and other funding sources such as RHID, special assessments, etc.
- Commissioner Warren questioned if we should consider a \$5,000 incentive per new rental unit noting he has visited with a development group that indicated they would need more than \$3,000 to make the development work.
- Commissioner Harrison advised a development group approached the City during the application process for a State grant and they indicated if they were successful in getting the grant they would begin the development; however, they came back to see what else we could do and that is when discussion began about offering economic development funds to stimulate progress and if we need to raise the incentive that can be done at anytime.
- City Manager Hall advised a developer who had expressed interest had indicated they supported our incentive level.

- Vice Mayor Aragon questioned how we could get this information out to developers. Economic Development Director Parsons indicated the information would be made available by phone call, website, in person and local and area newspapers.
- Steve Rogacki questioned why a Utah developer would be building multi-family apartments. The Commission explained the developer/contractor from Utah was used as an example, because he had previously expressed interest.

Commissioner Harrison moved to approve the New Construction Multi-Family Housing Incentive Program in the amount of \$300,000 for 2014, as presented. Vice Mayor Aragon seconded the motion, which carried unanimously.

12. Liberal Memorial Library Board Appointment.

City Clerk Giskie reported the Library Board is recommending Stan Lehnert be re-appointed to a 4-year term expiring April 30, 2018. She explained Mr. Lehnert had filled the unexpired term of Randy Scantlin, so this will be Mr. Lehnert's first full term.

Commissioner Willimon moved to reappoint Stan Lehnert to a four-year term on the Library Board for a term expiring April 30, 2018, as recommended. The motion was seconded by Commissioner Harrison and carried unanimously.

13. CITY MANAGER'S REPORT.

City Manager Hall expressed appreciation to City staff for all they do and asked that Mr. Krause approach the podium to present an update to the Commission.

- Building Department Services Director Krause provided the Commission with an update on the Abbott Construction property and noted they continue to make contact with him to remind Mr. Abbott of the need to clean up the property or the City will take further action.
- City Manager Hall reported City staff is working on the budget and advised there would be at least one work session required to work on the CIP program.
- Mr. Hall noted work continued working on the pool and it should be open on Memorial Day weekend. He also noted the shooting range is 98% complete and should be open shortly after the security cameras are mounted on the poles. It was noted the wind has caused a delay in getting the cameras operational.

14. ITEMS FROM COMMISSIONERS.

Commissioner Willimon expressed appreciation to those involved in establishing the housing incentive programs and was excited to see how it works. She commended the Parks and Recreation Department for making everything look great for this past weekend. She also thanked the public for attending the meeting this evening and voicing their concerns.

Commissioner Warren congratulated the Air Museum and Foundation for bringing the 727 aircraft to town for the Liberal Learning Jet project. He was excited about the number of events that occurred over the weekend and brought visitors to the community. He also looked forward to seeing good things happen as a result of the new housing incentive programs.

Vice Mayor Aragon congratulated Nick Schwindt on his retirement and the fire department for their recognition. He advised he was excited about the events that occurred this past weekend with the car show and the first Little Britches Rodeo with many visitors shopping, eating and staying in the hotels. He also looked forward to the 727 aircraft arriving.

Commissioner Harrison echoed everything said this evening and expressed appreciation to City staff for making things happen. He noted there were a lot of things happening this past weekend

with the car show and other activities and reported he heard a lot of good compliments on our community. He also thanked the many volunteers for their support.

Mayor Denoyer commended the Fire Department for their recognition and congratulated Nick Schwindt on his retirement as a volunteer firefighter. He thanked the City departments for working together to make the community look terrific for the all the events this past weekend as well as the volunteers that are needed to make things happen.

- Mayor Denoyer advised we have come up with an incentive program that is second to none and doing something different than other regional communities. He advised 55 to 58 new businesses opened their doors in the past year and reported Liberal is open for business and signified this by hanging an “OPEN” sign in the Commission Chambers.

15. VOUCHERS.

\$624,254.49, dated May 13, 2014. *Commissioner Warren moved to approve the vouchers, as presented, with Commissioner Willimon seconding the motion. The motion passed unanimously.*

The meeting was adjourned by motion of Commissioner Harrison.

Joe Denoyer, Mayor

ATTEST:

Debra S. Giskie, CMC, City Clerk